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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
SAINT VINCENTS CATHOLIC MEDICAL	:	Case No. 10-11963 (CGM)
CENTERS OF NEW YORK, <u>et al.</u> ,	:	
	:	
Debtors.	:	Jointly Administered
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**AMENDED HEARING AGENDA**

Time and Date of Hearing: **July 22, 2010 at 11:00 a.m.** (Eastern Time)

Location of Hearing: Courtroom of the Honorable Cecelia G. Morris, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, Room 701, New York, New York 10004-1408.

Copies of Motions: A copy of each of the Motions may be viewed on the Court's website at [www.ecf.nysb.uscourts.gov](http://www.ecf.nysb.uscourts.gov) or (without charge) at the Debtors' Information Website: at <http://svcmcrestructuring.com>.

**I. UNCONTESTED MATTERS**

1. **Consumer Privacy Ombudsman Report** - Alan Chapell, the Consumer Privacy Ombudsman Report [Docket No. 593]
  - Related Documents: None.
  - Objection Deadline: N/A

- Objections: N/A

**Status: Mr. Alan Chapell is available for any questions that the Court may have with respect to the Ombudsman's Report filed on July 12, 2010.**

2. **Certified Home Health Agency Bidding Procedures** - Motion Of The Debtors For (I) An Order (A) Approving Bidding Procedures For The Auction Of Assets Related To The Debtors' Certified Home Health Agency, (B) Scheduling An Auction And Sale Hearing Related Thereto, (C) Approving Notice Of The Auction And Sale Hearing, And (D) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases Related Thereto; And (II) An Order (A) Approving Such Sale Free And Clear Of Liens, Claims, Encumbrances And Other Interests And (B) Authorizing Payment Of The Brokers' Transaction Fee [Docket No. 558]

- Related Documents:

- a) Notice Of Revised Order (A) Approving Bidding Procedures For The Auction Of Assets Related To The Debtors Certified Home Health Agency, (B) Scheduling An Auction And Sale Hearing Related Thereto, (C) Approving Notice Of The Auction And Sale Hearing, And (D) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases Related Thereto [Docket No. 621]

- Bidding Procedures Objection Deadline: July 12, 2010 by 4:00 p.m.

- Objections: None.

**Status: The hearing on this matter is going forward.**

3. **Long Term Home Health Bidding Procedures** - Motion of the Debtors for (I) an Order (A) Approving Bidding Procedures for the Auction of Assets Related to the Debtors Long Term Home Health Care Program, (B) Scheduling an Auction and Sale Hearing Related Thereto, (C) Approving Notice of the Auction and Sale Hearing, and (D) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases Related Thereto; and (II) an Order (A) Approving Such Sale Free and Clear of Liens, Claims, Encumbrances and Other Interests and (B) Authorizing Payment of the Brokers Transaction Fee [Docket 588]

- Related Documents:

- a) Notice Of Revised Order (A) Approving Bidding Procedures For The Auction Of The Assets Related To The Debtors Long Term Home Health Care Program, (B) Scheduling An Auction And Sale Hearing Related Thereto, (C) Approving Notice Of The Auction And Sale Hearing, And (D) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases Related Thereto [Docket 622]
- Bidding Procedures Objection Deadline: July 16, 2010 by 4:00 p.m.
- Objections: None.
- **Status: The hearing on this matter is going forward.**
- 4. **Joint Motion Seeking Writ** – Joint Motion of the Debtors and the Purchaser Seeking Writ Enforcing the Sale Order [Docket No. 601]
- Related Documents:
  - a) Joint Motion of the Debtors and the Purchaser for Entry of an Order Approving the Notice Period for the Joint Motion of the Debtors and the Purchaser Seeking Writ Enforcing the Sale Order [Docket No. 605]
  - b) Order Approving the Notice Period for the Joint Motion of the Debtors and the Purchaser Seeking Writ Enforcing the Sale Order [Docket No. 607]
- Objection Deadline: July 21, 2010 by 12:00 p.m.
- Objections: None.

**Status: As of the date hereof, all but one of the holdover tenants have vacated the premises. The Debtors are attempting to verify whether the remaining tenant will be vacating. At the present time, the hearing on this matter is going forward with respect to only one tenant.**

## **II. RESOLVED MATTERS**

- 1. **Motion to Extend Time to Assume or Reject** - Debtors Motion Pursuant to Section 365(d)(4) of the Bankruptcy Code to Extend the Period Within Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property [Docket No. 548]
- Related Documents:

- a) Notice of Revised Exhibits to Motion for Order Pursuant to Section 365(d)(4) of the Bankruptcy Code Extending the Period Within Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property [Docket No. 635]
- Objection Deadline: July 8, 2010 by 4:00 p.m.
- Objections:
  - b) Creditor and Landlord Queens Office Tower, L.P.'s Opposition to Debtors' Motion Pursuant to Section 365(d)(4) of the Bankruptcy Code to Extend the Period Within Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property [Docket No. 584]

**Status: The Debtors and the objecting party have reached an agreement in principle and the Debtors presently intend to submit a consensual order.**

### **III. CONTESTED MATTERS**

- 1. **Motion to Pay Independent Contractors** - Motion of the Debtors for Entry of an Order Authorizing Payment of Prepetition Obligations to Independent Contractors [Docket No. 563]
  - Related Documents:
    - a) Declaration of Scott B. Davis in Support of the Motion of the Debtors for Entry of an Order Authorizing Payment of Prepetition Obligations to Independent Contractors [Docket No. 564]
  - Objection Deadline: July 12, 2010 by 4:00 p.m.
  - Objections:
    - a) Opposition to Debtors' Motion for Entry of an Order Authorizing Payment of Prepetition Obligations to Independent Contractors [Docket No. 596]
  - Reply:
    - b) Debtors' Response to the Objection of the Committee of Interns and Residents/Service Employees International Union to the Motion of the Debtors for Entry of an Order

Authorizing Payment of Prepetition Obligations to  
Independent Contractors [Docket No 626]

**Status: The hearing on this matter is going forward.**

**IV. MOTIONS TO LIFT THE AUTOMATIC STAY**

1. **Clark Lift Stay Motion** – Notice of Motion of Winifred Quinn Clark as Executrix of the Estate of Evelyn H. Engel for Entry of an Order Granting Relief From the Automatic Stay for the Purpose of Continuing a Negligence Action Against the Debtors Saint Francis J. Mugavero Center for Geriatric Care, Inc., and Saint Vincents Catholic Medical Center of New York [Docket No. 355]

- Related Documents:

- a) Stipulation and Order [Docket No. 525]

- Objection Deadline: June 14, 2010 by 4:00 p.m.

- Objections: None.

**Status: This matter has been consensually resolved. A stipulation and proposed order will be submitted to the Court.**

2. **Irving Lift Stay Motion** - Motion for an Order, Pursuant to 11 U.S.C. § 362(d), Granting Relief From the Automatic Stay and Authorizing Tort Claimants to (I) Proceed With Pending State Court Litigation and Entered Judgment, and (II) Seek Payment of Any Judgment or Settlement From Any Applicable Policy of Insurance Maintained by the Debtors, or Any Other Source Other Than the Debtors' Estates [Docket No. 225]

- Related Documents:

- a) Stipulation and Order [Docket No. 408]

- b) Stipulation and Order [Docket No. 469]

- c) Stipulation and Order [Docket No. 528]

- Objection Deadline: May 24, 2010 by 4:00 p.m.

- Objections:

- d) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]

- e) Response to Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay filed by The Committee of Interns and Residents/SEIU [Docket No. 369]
- f) Reply to Debtors' Objection to Tort Claimant Irving's Motion for an Order, Pursuant to 11 U.S.C. §362(d), Granting Relief From the Automatic Stay and Authorizing the Claimants to (I) Proceed With Pending State Court Litigation, and (II) Seek Payment of any Judgment or Settlement From any Source Other Than the Debtors' Estates [Docket No. 442]

**Status: This matter has been consensually resolved. A stipulation and proposed order will be submitted to the Court.**

3. **Gernon Lift Stay Motion** – Motion of Margaret Gernon Pursuant to 11 U.S.C. § 362(d)(1) and Bankruptcy Rule 4001(a), Granting Relief From Automatic Stay Imposed to the Extent of Seeking Exception to the Dischargability of Those Debts Available Through Applicable Liability Insurance Coverage [Docket No. 531]

- Related Documents: None.
- Objection Deadline: July 12, 2010 by 4:00 p.m.
- Objections: None.

**Status: The hearing on this matter has been adjourned consensually to July 29, 2010.**

4. **Detjen Lift Stay Motion** – Motion for an Order Pursuant to 11 U.S.C. Sec. 362(d)(1) & (2), Bankruptcy Rules 4001 & 9006, and Local Rule 9006-1 Granting Relief From the Automatic Stay [Docket No. 534]

- Related Documents: None.
- Objection Deadline: July 12, 2010 by 4:00 p.m.
- Objections: None.

**Status: This matter has been consensually resolved. A stipulation and proposed order will be submitted to the Court.**

## **V. STATUS CONFERENCE**

During the general status conference, the Debtors intend to discuss the time frame for the establishment of a bar date in these cases.

**Pursuant to the Order Establishing Case Management Procedures, any party that wants to monitor the hearing telephonically, is required to notify the undersigned counsel for the Debtors in writing regarding such request at least three (3) business days prior to the applicable hearing date.**

Dated: New York, New York  
July 21, 2010

KRAMER LEVIN NAFTALIS & FRANKEL LLP

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